

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

REGINA M. HILL,

Plaintiff,

v.

MHM SUPPORT SERVICES,

Defendant.

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No. 4:24-cv-00971-JAR

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff Regina M. Hill’s second motion for reconsideration (ECF No. 42) and upon review of the file. For the reasons set forth below, Plaintiff’s motion will be denied and her remaining claim against Defendant MHM Support Services will be dismissed for failure to follow the Court’s orders.

**Background**

On January 21, 2025, the Court dismissed Plaintiff’s claims for race and color discrimination, discrimination in terms and conditions of her employment, and harassment/hostile work environment brought under Title VII of the Civil Rights Act of 1964 (“Title VII”) and Plaintiff’s claim of disability discrimination under the Americans with Disabilities Act of 1990 (“ADA”). ECF Nos. 33 and 34. The Court also granted Defendant’s request for a more definite statement as to Plaintiff’s retaliation claim under Title VII and directed Plaintiff to file a second amended complaint within thirty (30) days. ECF No. 33. On March 4, 2025, the Court issued an order to show cause for why Plaintiff’s case should not be dismissed for failing to follow the Court’s order and file a second amended complaint. ECF No. 37.

On March 7, 2025, Plaintiff filed a notice of interlocutory appeal with the Eight Circuit Court of Appeals. ECF No. 38. On March 14, 2025, the Eighth Circuit rendered its judgment, dismissing the appeal for lack of jurisdiction. ECF No. 41. The mandate issued on April 14, 2025. ECF No. 43. To date, Plaintiff has not filed a second amended complaint as instructed by the Court nor has she responded to the Court's order to show cause.

### **Discussion**

The Court has already determined that reconsideration is not warranted here. ECF No. 36. No manifest error of law or fact has occurred, and Plaintiff has not come forth with newly discovered evidence. The Court has thoroughly reviewed Plaintiff's Amended Complaint, accompanying exhibits, and all arguments contained within Defendant's and Plaintiff's briefing on the motion to dismiss. As the Court previously determined on Plaintiff's first motion for reconsideration, the Court properly dismissed some—but not all—of Plaintiff's claims for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6).

Though Plaintiff for the third time argues that she has adequately supported her claims with evidence, the fact remains that the Court must dismiss claims that lack factual *allegations* supporting all elements of the particular claim. *See* Fed. R. Civ. P. 12(b)(6). The Court found that Plaintiff failed to adequately *allege* the essential elements of her claims of race and color discrimination and harassment/hostile work environment under Title VII and disability discrimination and failure to accommodate under the ADA. The Court will therefore once again deny Plaintiff's motion for reconsideration.

Further, because Plaintiff has failed to file a second amended complaint or to respond to the Court's order to show cause, the Court will dismiss her sole remaining claim of retaliation under Title VII without prejudice.

Accordingly,

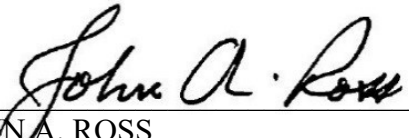
**IT IS HEREBY ORDERED** that Plaintiff's motion for reconsideration is **DENIED**.

ECF No. 35.

**IT IS FURTHER ORDERED** that Plaintiff's claim of retaliation under Title VII is **DISMISSED without prejudice**.

A separate order of dismissal shall accompany this order.

Dated this 14th day of April, 2025.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE